IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION
CIVIL APPLICATION NO.1835 OF 2005
IN
SECOND APPEAL NO.920 OF 2004

Office Notes, Office Memoranda of Coram, appearances, Court's Orders or directions and Registrar's Orders	Court's or Judge's Orders

Mr.N.R.Bubna for applicant
Mr.Harshad M. Deshpande for respondent

CORAM : P.V.KAKADE, J.
DATE : 21st OCTOBER 2005
P.C.:

1. Heard both the parties.

2. The learned counsel for the applicant take prompt exception to the wording of the undertaking, which is furnished by the appellant subsequent to the order of this Court dated 8.4.2005 while disposing of the Second Appeal No.920 of 2004 under which usual undertaking to vacate the suit premises within the stipulated period was directed to be given. In filing the Undertaking the appellant has made observations with regard to his nature of possession in para 2 and in para 4 has

given unconditional Undertaking as per the Order of the court. In the circumstances, in my opinion that this is valid Undertaking and right can be virtue by contents of para in favour of the appellant and hence the applicant has no merits and stands disposed of.

. The contents of para 2 of the Undertaking are in no way to affect the interest of the Applicant-Respondent.